Writ Petition No. 3017 (S/S)/2001

Raj Mohan Singh ……Petitioner.

Versus

Registrar Departmental Examination U.P. Allahabad
and two others ……..Respondents.

Hon'ble M.M. Ghildiyal J.

By means of this petition, the petitioner has challenged the order dated 16.4.2001 passed by the Registrar Departmental Examination U.P. Allahabad, by which the admission of petitioner to the course of B.T.C. has been cancelled and the consequential order dated 2.5.2001 passed by the Principal District Institute of Educational Training Gauchar District Chamoli.

Heard learned counsel Sri S.S.Babulkar for petitioner and Sri Brahm Singh learned counsel for respondent Nos. 1 and 2 and learned Standing Counsel for respondent No.4. In the counter affidavit filed by respondent Nos. 1 and 2 the stand taken by them is that the petitioner was not selected for admission and as such the admission given to the petitioner was not valid. The respondent No.3 the Principal of the Institute has also filed counter affidavit. He has submitted that he has received a list of candidates selected for the training of B.T.C. at D.I.E.T. Gaucher, in which the name of the petitioner was included and after going through the original certificates of the petitioner as required by the Registrar Departmental Examination, the petitioner was granted admission. However since the Registrar Departmental Examination has cancelled the admission of petitioner the consequential order passed by the Principal D.I.E.T. in pursuant to the order passed by the Registrar Departmental Examination.

The procedure for selection of candidates for B.T.C. training is that Registrar Departmental Examination U.P. Allahabad

takes examination and thereafter sends the list of selected candidates to the various institutes. According to him he has not forwarded the name of petitioner for training for B.T.C. Course. However the principal of the D.I.E.T. Gauchar Chamoli has categorically stated in the counter affidavit that the list received by the institution from the Registrar Departmental Examination Allahabad includes the name of the petitiaoner. The petitioner was admitted for the session 1999-2000 and 2000-2001 and it is submitted by the learned counsel for the petitioner that the petitioner has appeared in both the examination pursuant to the order passed by this Court. However the result has not been declared so far in view of the pendency of the writ petition. The petitioner was given admission by the Principal D.I.E.T. Gauchar Chamoli on the basis of the list of candidates received from Registrar Departmental Examination U.P. Allahabad. It is unbelievable that when the list has been sent by the Registrar Departmental Examination U.P. Allahabad and was received by the institute, how the petitioner can be blamed and punished for no fault on the part of the petitioner. He has also appeared in the examinations and in these circumstances it will be just and proper to direct the respondents to declare the result of the petitioner.

For the reasons recorded above, I direct the respondents to declare the result of the petitioner and issue certificate if he has already passed the B.T.C. examination.

With these observations the writ petition is disposed of finally. No order as to costs.

(M.M. Ghildiyal, J.)

Dated 30th July 2003

ISB.